

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DOROTHY O. TAYLOR

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CIVIL ACTION

v.

DR ARANEDA, et al.

NO. 08-1152

M E M O R A N D U M

LUDWIG, J.

MARCH 13, 2008

Plaintiff has filed a pro se civil action and a motion to proceed in forma pauperis in this Court. For the reasons outlined below, the Court will grant plaintiff in forma pauperis status, and the action will then be transferred to the United States District Court for the Middle District of Pennsylvania for consideration of plaintiff's complaint.

Venue in this civil case is governed by 28 U.S.C. § 1391(b), which provides that this action may be brought in "(1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought."

The events giving rise to this complaint took place at S.C.I. Huntingdon, which is located in the Middle District of Pennsylvania. Since plaintiff's claims did not arise in the Eastern District of Pennsylvania, and nothing in this complaint suggests that any defendant resides in the Eastern District of

Pennsylvania, venue is improper in this Court. When venue is improper, as in this case, the Court may, in the interests of justice, transfer the case to a district court in which it could have been brought. 28 U.S.C. § 1406(a). Under the facts set forth in the complaint, the case could have been brought in the Middle District of Pennsylvania.

Pursuant to 28 U.S.C. § 1406(a), the Court will transfer the case to the United States District Court for the Middle District of Pennsylvania. An appropriate order follows.

BY THE COURT:

/s/ Edmund V. Ludwig
EDMUND V. LUDWIG, J.

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O R D E R

This 13th day of March, 2008, in accordance with the
Memorandum filed this date, it is ORDERED that:

1. Leave to proceed in forma pauperis is GRANTED; and
2. The Clerk is directed to TRANSFER this action forthwith
to the United States District Court for the Middle District of
Pennsylvania, along with a certified copy of the docket and all
papers and the file in this matter.

BY THE COURT:

/s/ Edmund V. Ludwig
EDMUND V. LUDWIG, J.